

## **LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT**

**P.A.S.:** Change of Zone 3340

**DATE:** September 17, 2001

**PROPOSAL:** Rezone approximately 10' x 97' of land from R-1 Residential to B-1  
Local Business at South 27<sup>th</sup> Street and Woods Boulevard

**LAND AREA:** Approximately 970 square feet.

**CONCLUSION:** The change of zone should not extend closer than 30 feet from South 27<sup>th</sup> Street and Woods Blvd. This will maintain the integrity of the 30 foot front yard along South 27<sup>th</sup> Street and Woods Blvd while allowing a sign visible from S. 27<sup>th</sup> Street.

<b><u>RECOMMENDATION:</u></b> Approval to reduced areas. Alternate area is North 8' of the south 38 feet of the east 70 feet of Lot 39
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### **GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** North 10 feet of the south 38 feet of the east 97 feet of Lot 38, Block 1, Bishop Heights, Lancaster County, Nebraska, located in the SW 1/4 of Section 6, T9N, R7E, Lancaster County, Nebraska.

**LOCATION:** South 27<sup>th</sup> Street and Woods Boulevard.

**APPLICANT:** U.S. Bank

**OWNER:** U. S. Bank

**CONTACT:** Mark Hunzeker  
1045 Lincoln Mall #1200  
Lincoln, NE 68508

**EXISTING ZONING:** R-1 Residential

**EXISTING LAND USE:** Parking lot and landscaping.

### **SURROUNDING LAND USE AND ZONING:**

North: R-1 Residential	Parking lot and open space
South: R-1 Residential	Open space, commercial south of Woods Blvd.
East: B-1 Local Business	Commercial
West: R-1 Residential	Single family residential

**HISTORY:**

Prior to 1979 the zoning was A-1, Single Family Dwelling District and G, Local Business District.

In 1979 zoning was changed to R-1, Residential and B-1, Local Business.

Change of Zone 2227 from R-1 to B-1 was approved by City Council in March 1986. This change of zone was to allow the expansion of bank offices.

On August 31, 1987 City Council approved Special Permit #1237 to allow construction of a parking lot for 17 parking stalls. The area of the special permit extends to S. 27<sup>th</sup> Street. A landscape plan in excess of minimum design standards to screen the parking lot from 27<sup>th</sup> Street was required.

Related with Special Permit #1237 was Change of Zone #2346. This change of zone was from R-1 to B-1 to allow the installation of an automatic teller machine. City Council approved the change of zone on August 24, 1987.

**COMPREHENSIVE PLAN SPECIFICATIONS:** The Comprehensive Plan reflects the existing zoning and designates the proposed B-1 zoning as Urban Residential.

The Comprehensive Plan identifies goals for Neighborhood Centers. One goal is to “maintain and encourage retail establishments and businesses that are convenient to, and serve, neighborhood residents, yet are compatible with but not intrusive upon residential neighborhoods.”

**UTILITIES:** Available

**TRAFFIC ANALYSIS:** S. 27<sup>th</sup> Street is a Principle Arterial.

**ANALYSIS:**

1. This change of zone is to allow a commercial sign between the parking lot and S. 27<sup>th</sup> Street. Commercial signs are not allowed in the R-1 district.
2. **27.69.045 Permitted Signs: B-1 Zoning District.**  
In the B-1 zoning district, the specific regulations are as follows:
  - (a) On-premises wall signs are permitted. The sign area of such wall signs per building facade shall not exceed thirty percent coverage of the wall face or a total of 400 square feet, whichever is lesser. Any marquee sign shall not exceed three feet in height or the height or vertical thickness of the marquee, whichever is greater.

One pedestrian marquee sign per entrance not exceeding one foot in height, six square feet in area is permitted.

(b) One on-premises pole sign or one on-premises ground sign per business per frontage is permitted. Such signs shall be spaced a minimum of fifty feet apart along any street frontage. In those instances where only a single business is ~~located~~ on the premises and the premises has a frontage along any one street of 150 feet or more, the business may have a maximum of two ground or pole signs as otherwise permitted in this section on any such frontage with a minimum spacing of 100 feet. If such sign is located in a required front yard, it shall not exceed fifty square feet of area, and a pole sign shall have a maximum height of twenty-five feet, and a ground sign shall have a maximum height of eight feet. If such sign is located outside the required front yard, it may have a maximum area of 100 square feet and a maximum height of thirty feet. If such sign is a combination

of the two permitted signs of over 150 feet frontage, it may be increased to 150 square feet in area and thirty-five feet in height; provided it is fifty feet from other premises.

(c) In lieu of the sign permitted in paragraph (b) above, one on-premises ~~projecting~~ sign is permitted. Said projecting sign may project from a building a maximum of six feet six inches and may project into a required front yard, but it shall not project above the roof line or top of a cornice wall. Such sign shall have a minimum ground clearance of eight feet above the walk or grade below and may project over the public right-of-way when the building is erected adjacent to the front property line. The maximum area of such sign shall be 100 square feet.

(d) Where more than one business is located on the lot, the on-premises signs permitted in the required front yard pursuant to (b) above may be combined. If the combined sign is located in a required front yard, it shall not exceed fifty square feet in area. If the combined sign is a pole sign, it shall have a maximum height of twenty-five feet, and if the combined sign is a ground sign, it shall have a maximum height of eight feet. If the combined sign is located outside the required front yard, it may have a maximum area of 150 square feet. If the combined sign is a pole sign, it shall be spaced a minimum of seventy-five feet from any other premise.

(e) Within seventy-five feet of any residential zoning district, no sign shall face directly toward such district, except where the adjacent lot is used primarily for a nonresidential use. One sign, designating an accessory entrance, not exceeding twenty square feet of area and non-illuminated and non-reflecting, is permitted.

(f) Off-premises signs not exceeding 300 square feet in area and thirty-five feet in height are permitted, subject to the provisions of Section 27.69.035.

(g) In lieu of the signs in subsection (b):

One fifty square foot on-premises ground sign per entrance to a shopping center identifying the shopping center or commercial area; or One pole sign per frontage, 100 square feet in area, identifying the shopping center or commercial area. If the shopping center has more than 150 feet of frontage on any one street, the pole sign

may be 150 square feet in area. Such pole signs shall be spaced a minimum of seventy-five feet from any other premises. (Ord. 17585 § 4; January 10, 2000: prior Ord. 16823 §1; July 10, 1995: Ord. 16735 §7; February 13, 1995: Ord. 16180 §1; August 3, 1992: Ord. 16012 §1; November 18, 1991: Ord. 14725 §3; August 3, 1987: Ord. 14613, as amended by Ord. 14677 §1; June 1, 1987: Ord. 12751 §25; November 5, 1979: Ord. 12679 §11; September 4, 1979: Ord. 12571 §366 (part); May 8, 1979).

3. The city has no guarantee that the specific sign proposed by the applicant will be installed.
4. When Special Permit #1237 was approved for a parking lot for U.S. Bank, a landscape plan in excess of minimum design standards was required. The intent of this requirement should remain. The approved landscape plan shows a 47 foot landscape buffer between South 27<sup>th</sup> Street and the parking lot.
5. The R-1 district requires a 30 foot front yard. The intent of having the R-1 district along S. 27<sup>th</sup> Street was to insure a "green space" front yard in zoning districts that did not have use permits.
6. A possibly similar request, a change of zone from R-2 to B-1 at 40<sup>th</sup> Street north of South Street was approved in July 1998. That request was to rezone approximately 83' x 100' to allow a ground sign between the parking lot and the street in the front yard setback.
7. An existing pole sign for this business is located along Woods Blvd.

Prepared by:

Tom Cajka  
Planner

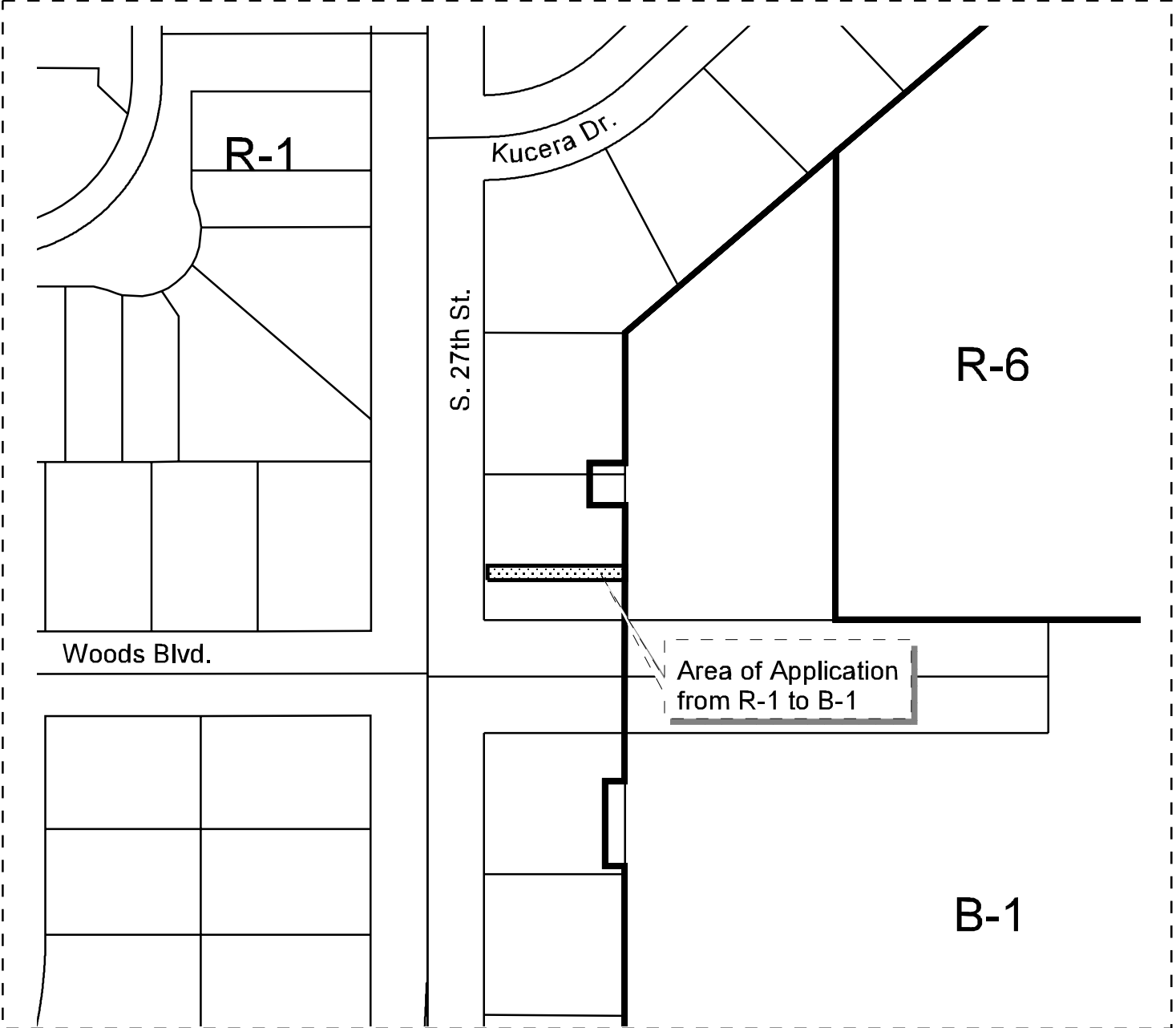


**Change of Zone #3340  
So. 27th & Woods Blvd.**



Photograph Date: 1997

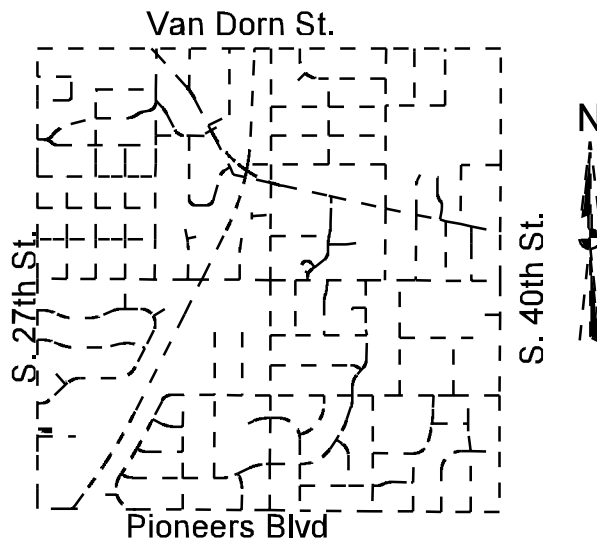
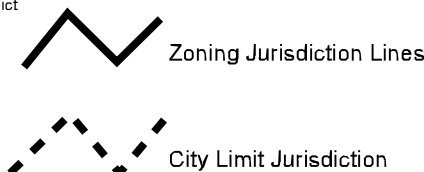
Lincoln City - Lancaster County Planning Dept.



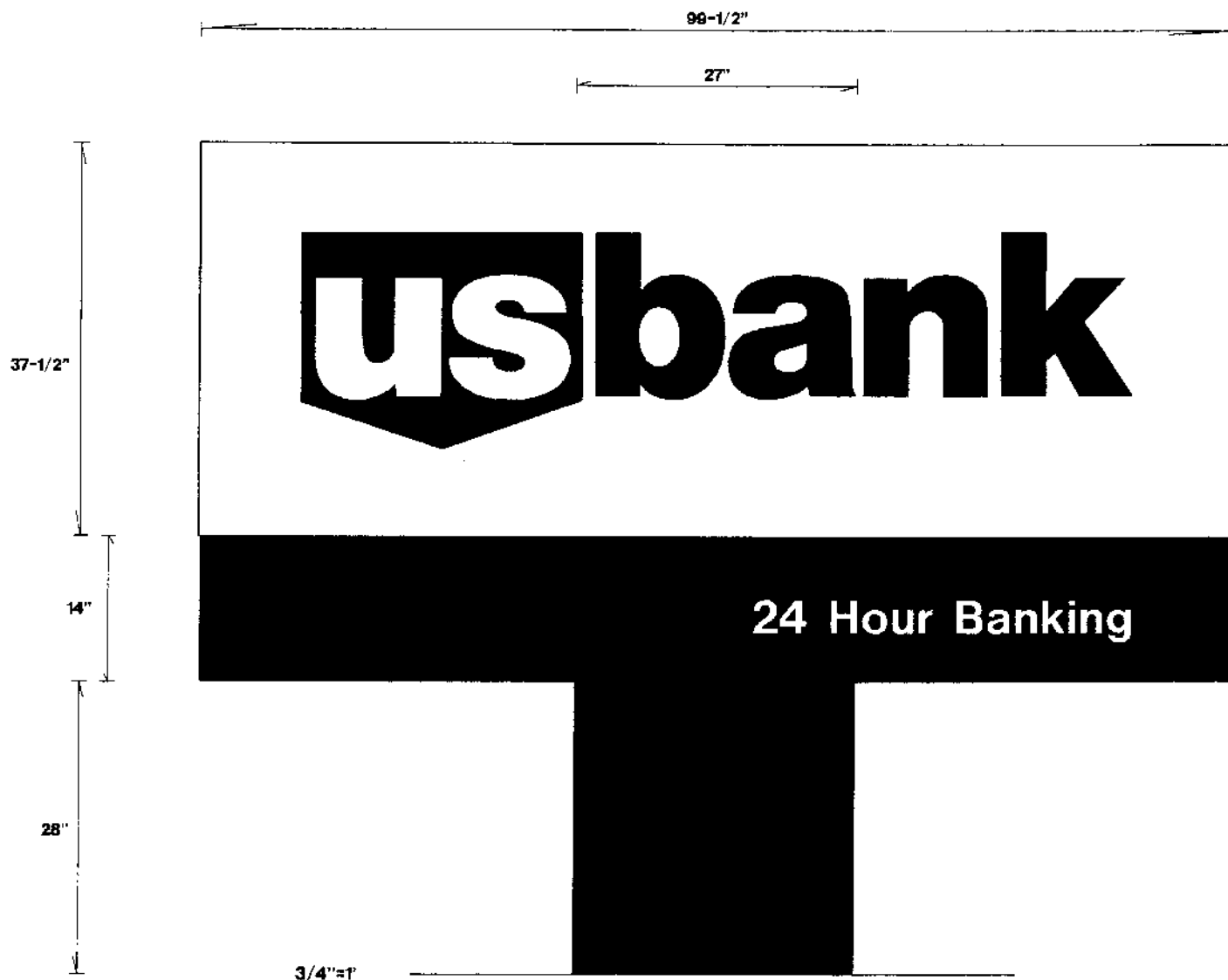
# **Change of Zone #3340** **So. 27th & Woods Blvd.**

- Zoning:**
- R-1 to R-8 Residential District
  - AG Agricultural District
  - AGR Agricultural Residential District
  - R-C Residential Conservation District
  - O-1 Office District
  - O-2 Suburban Office District
  - O-3 Office Park District
  - R-T Residential Transition District
  - B-1 Local Business District
  - B-2 Planned Neighborhood Business District
  - B-3 Commercial District
  - B-4 Lincoln Center Business District
  - B-5 Planned Regional Business District
  - H-1 Interstate Commercial District
  - H-2 Highway Business District
  - H-3 Highway Commercial District
  - H-4 General Commercial District
  - I-1 Industrial District
  - I-2 Industrial Park District
  - I-3 Employment Center District
  - P Public Use District

One Square Mile  
 Sec. 6 T9N R7E



OK # 18608



NEW - DOUBLE FACED - INTERIOR ILLUMINATED - GROUND SIGN

NOTE: COMPUTER GENERATED DRAWING IS INTENDED TO BE AN APPROXIMATE REPRESENTATION OF ACTUAL COLORS AND IMAGES

CLIENT	US BANK	SALESPERSON	THOMPSON	HARDCOPY	X
ADDRESS	BISHOP HEIGHTS	ARTIST	ENGLEND	SITE PLAN	
CITY	LINCOLN	SKETCH NO.	02616	PHOTO	
STATE	NEBRASKA	SCALE	NOTED	CLIENT APPROVAL	
		DATE	03/01/01	DATE	

The proposed advertising display has been created from a survey and analysis by our qualified representatives and does not constitute an offer of insurance. It is an original drawing created by Nebraska Sign Company. All permits are subject to the design is the exclusive property of Nebraska Sign Company and their use of the same without written permission is strictly prohibited.

COMPUTER FILE (US BANK BISHOP HTS) Lin

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P.C

**PIERSON, FITCHETT, HUNZEKER, BLAKE & KATT**  
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Fax (402) 476-7465  
Telephone (402) 476-7621

September 14, 2001

**VIA FACSIMILE 441 6377**

Mike DeKalb  
Planning Dept.  
555 S. 10<sup>th</sup> Street  
Lincoln, NE 68508

Re: US Bank change of zone  
27<sup>th</sup> & Woods Blvd.

Dear Mike:

As we have discussed, the US Bank branch location at 27<sup>th</sup> and Woods Boulevard is virtually invisible from 27<sup>th</sup> Street. The building is quite low-profile, and is located on a heavily landscaped lot. The mature trees, topography, and other buildings combine to make it nearly impossible to identify the bank from 27<sup>th</sup> Street until you are already past the point of making a safe turn on to Woods Boulevard.

The proposed change of zone is, as you suggested, modeled after the change we made at Plaza Mall South. It is intended to be small enough in scope to prevent construction of anything other than a small sign, yet located in such a way as to allow the bank adequate identification. The proposed sign is an internally lit enclosure. We will attempt to get you a photo demonstrating what the sign will look like as soon as possible.

If you have any further questions, feel free to call.

Sincerely,



Mark A. Hunzeker  
For the Firm

MAH:la

(G:\WPData\W\TUS Bank - DeKalb 9-14 1r.wpd)



# M e m o r a n d u m

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**To:** Tom Cajka, Planning Department

**From:** Charles W. Baker, Public Works and Utilities *CBH*

**Subject:** Change of Zone # 3340

**Date:** September 18, 2001

**cc:** Roger Figard  
Nicole Fleck-Tooze

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the request for the Change of Zone from R-1 to B-1 for the north 10' of the south 38' of the east 97' of Lot 38, Block 1, Bishop Heights, generally located on the northeast corner of South 27th Street and Woods Boulevard. Public Works has no objection to the proposed change of zone. However, a site plan has not been reviewed regarding any changes that will necessitate this request.



**Rodger P Harris**

09/17/2001 10:03

AM

To: Thomas J Cajka/Notes@Notes

cc: Chuck A Zimmerman/Notes@Notes

Subject: **CZ 3340, R-1 to B-1.**

We have no comments to offer regarding this CZ.